



**U.S. Agency for International Development**  
**Office of Acquisition and Assistance - Baghdad**

**USAID/IRAQ A&A Notice 04-004**

**DATE:** October 18, 2004

**TO:** Contractors and Recipients

**FROM:** Alvera Reichert, Office Director

**SUBJECT:** Import of US Manufactured Fully-Automatic Weapons

**A. The approved licensing procedures for the import of U.S. manufactured fully-automatic weapons by Personal Security Companies (and PSDs) are as follows. These procedures apply to all USAID implementers and their subcontractors/subawardees.**

1. The implementer will give the CTO a copy of the valid contract with the PSD and inform the CTO of the PSD's request to import weapons into Iraq. The implementer will also complete Form DSP-83 (attached).
2. The CTO will obtain consent to the transfer from Embassy Pol/Econ and will ensure that the number of weapons being authorized is appropriate for the security contract.
3. The implementer will give to the CTO confirmation from the Security Company that a security plan is in place to make sure the weapons will be properly secured when not in use.
4. The implementer will request the exporter to provide the CTO and DTC\* serial numbers of weapons transferred within 48 hours of shipping exporter documentation.
5. The CTO will perform an inventory of the full-automatic weapons when arriving in Iraq and report the results to DTC.
6. The CTO will agree upon a disposal /destruction plan for the weapons at the end of the security contract being supported by the US. This plan shall include certification by a US Gov official (Pol/Econ) to ensure that the full-automatic weapons do not leave Iraq in the possession of the foreign private security company without authorization.

**B. The PSDs for USAID's implementers are not authorized to carry weapons on the USAID compound.**

Any questions about this notice should be referred to your Cognizant CTO.

\* DTC - Defense Trade Controls,

Contact numbers are as follows:

Receptionist: (202) 663-2980

Response Team (for general inquiries about and guidance on licensing and compliance matters): (202) 663-1282 or e-mail [DDTCResponseTeam@state.gov](mailto:DDTCResponseTeam@state.gov)

Case Status: (202) 663-2700

Fax

DDTC Management: (202) 261-8199

Registration/Compliance: (202) 261-8695

Response Team: (202) 261-8199

Attachment: DSP 83 with instructions.

U.S. Department of State  
**4** UNITED STATES OF AMERICA  
NONTRANSFER AND USE CERTIFICATE

1. This certificate is submitted in connection with export application no.

4. Country of ultimate destination

OMB No. 1405-0021

EXPIRATION DATE: 07-31-2006

ESTIMATED BURDEN: 1 Now

2. Name of United States applicant

3. Name of foreign end-user

5. Articles/data

We certify that we have placed an order with the person named in item 2 for the following articles/data in the quantity and value shown below:

QUANTITY	ARTICLES/DATA DESCRIPTION	VALUE (US \$)
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5. Certification of foreign consignee

We certify that we *are* importing the articles/data listed in item 5 for delivery to the end-user in item 3. Except as specifically authorized by prior written approval of the U.S. Department of State, we **will** not re-export, resell or otherwise dispose of any of those articles/data (1) outside the country in item 4 above, or (2) to any person, including the end-user, if there is reason to believe that it will result, directly or indirectly, in disposition of the articles/data contrary to the representations made in this certificate by any party. We further certify that all of the facts contained in this certificate are true and correct to the best of our knowledge and belief and we do not know of any additional facts that are inconsistent with this certificate. We will promptly send a supplemental certificate to the U.S. applicant in item 2 disclosing any change of facts or intentions set forth in this statement.

Sign here in ink

7. Certification of foreign end-user

We certify that we are the end-user of the articles/data in item 6. Except as specifically authorized by prior written approval of the U.S. Department of State, we will not re-export, resell or otherwise dispose of any of those articles/data (1) outside the country in item 4 above, or (2) to any other person. If the end-user is a foreign government, we certify that we will observe the assurances contained in item 8. We further certify that all of the facts contained in this certificate are true and correct to the best of our knowledge and belief and we do not know of any additional facts that are inconsistent with this certificate.

Sign here

in ink

Signature of Official End-User

Date Signed (mm-dd-yyyy)

Type or print

Name & Title of Signer

B. Certification of foreign government

We certify that we will not authorize the re-export, resales or other disposition of the articles/data authorized in item 5 outside the country in item 4 without prior written approval of the U.S. Government. If the articles/data are for use by our "armed forces" (i.e., army, navy, marine, air force, coast guard, national guard, national police, and any military unit or military personnel organized under **OP** assigned to an international organization), we certify that we will use the authorized articles/data only: **(a)** for the purposes specified in the Mutual Defense Assistance Agreement, if any between the U.S. Government and this government; (b) for the purposes specified in any bilateral or regional defense treaty to which the U.S. Government and this government are both parties, if subparagraph (a) is inapplicable; or (c) for internal security, individual self-defense, and/or civic action, if subparagraphs (a) and (b) are inapplicable.

Sign here

in ink

Signature of Government Official

Date Signed (mm-dd-yyyy)

Type or print

Signature of Official

Date Signed (mm-dd-yyyy)

Name & Title of Signer

Seal

Seal

Type or print

Name & Title of Signer

Seal

9. We certify that no corrections, additions or alternations were made on this form by us after it was signed by the foreign consignee, foreign end-user or foreign government.

Sign here

in ink

Signature of Applicant

Date Signed (mm-dd-yyyy)

Type or print

Name & Title of Signer

**INSTRUCTIONS**

The U.S. Department of State, United States of America, requires that this completed form DSP-83, be included as a part of an application for authorization to export significant military equipment and classified equipment or data (22 CFR § 123.10(a), 124.10 and 125.7). Failure to submit will result in the application being returned without action. The form DSP-83, must be completed by the appropriate foreign persons (e.g., consignee, end-user, government) and forwarded to the U.S. Department of State through the U.S. person making the application.

1. *Item 1.* The U.S. Department of State will enter the application number when the form DSP-83, is submitted *with* the application. The U.S. applicant *must* provide the application number when form DSP-83, is submitted separately from the application.
2. *Item 2.* Show the name of the U.S. person submitting the application to the U.S. Department of State.
3. *Item 3.* Show the foreign person that will receive the articles/data for and-use. A bank, freight, forwarding agent, or other intermediary is not acceptable as an end-user.
4. *Item 4.* Show the country in which the articles/data shall ultimately receive end-use.
5. *Item 5.* Show precise quantities of the articles/data. List each article/data clearly, giving type, model number, make and (if known) U.S. military designation or national stock number. When components and spare parts are involved, fully identify the minor component, major component and end item in which they will be used (e.g., turbine blades for C-34 jet engine for F24B aircraft). Give a separate value for each major component. Values must represent only the selling price and not include supplementary costs such as packing and freight.
6. *Item 6.* To be completed by the foreign person who has entered into the export transaction with the applicant to purchase the articles/data for delivery to the end-user. This item shall be completed only if the foreign consignee is not the same as the foreign end-user.
7. *Item 7.* To be completed by the foreign person, in the country of ultimate designation, who will make final use of the articles/data.
8. *Item 8.* When requested by the U.S. Department of State, this item is to be completed by an official of the country of ultimate destination having the authority to so commit the government of that country.
9. *Item 9.* Certification of U.S. applicant.